

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

CASE NO. 4:19-CV-00957
(CONSOLIDATED)

JUDGE GEORGE C. HANKS, JR.

THIS DOCUMENT RELATES TO:

CASE NO. 4:22-CV-01189
CASE NO. 4:22-CV-02590

**DECLARATION OF LAWRENCE M. ROLNICK IN OPPOSITION TO MOTION
OF DONALD DIMITRIEVICH AND WILLIAM MCMULLEN FOR SUMMARY
JUDGMENT AS TO SECTION 18 AND STATE LAW FRAUD CLAIMS**

Pursuant to 28 U.S.C. § 1746, Lawrence M. Rolnick, under penalty of perjury, hereby declares as follows:

1. I am a partner at the law firm of Rolnick Kramer Sadighi LLP, counsel to the Direct Action Plaintiffs. I submit this declaration in opposition to the Motion of Donald Dimitrievich and William McMullen for Summary Judgment as to Section 18 and State Law Fraud Claims.

2. Attached hereto as **Exhibit 1** is a true and correct copy of a presentation entitled, Alta Mesa Resources, Pure-Play STACK Enterprise, dated August 2017.

3. Attached hereto as **Exhibit 2** is a true and correct copy of Footnotes on Slide 14 of SEC Form 8-K dated 8/17/2017 Ex. 99.1.

4. Attached hereto as **Exhibit 3** is a true and correct copy of an e-mail from Jim Hackett to Mark Stoner re: Orbis, dated November 8, 2017, bates stamped BCEM_0107143 – BCEM_0107144.

5. Attached hereto as **Exhibit 4** is a true and correct copy of a presentation entitled, Weekly Review, East Hennessey Unit (EHU) Evaluation Project, dated January 30, 2017, bates stamped AMR_SDTX01825610 – AMR_SDTX01825630.

6. Attached hereto as **Exhibit 5** is a true and correct copy of the Expert Witness Report of Paul J. Dudenas, dated August 31, 2023.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an e-mail from Kevin J. Bourque re: Food for Thought, dated June 6, 2017, bates stamped AMR_SDTX00853993.

8. Attached hereto as **Exhibit 7** is a true and correct copy of the Schedule 14A Proxy Statement for Silver Run Acquisition Corporation II, dated January 19, 2018.

9. Attached hereto as **Exhibit 8** is a true and correct copy of an e-mail from Tamara Alsarraf to Kaitlyn Mathews re: KFM messaging for Board and for quarterly call, dated March 20, 2018, bates stamped AMR_SDTX00686798.

10. Attached hereto as **Exhibit 9** is a true and correct copy of the Form ADV for Alyeska Investment Group, L.P., dated November 7, 2017, bates stamped ALYESKA_AM00003500 – ALYESKA_AM00003538.

11. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts of the deposition transcripts of Randy Mitchell, dated July 10 and 11, 2023.

12. Attached hereto as **Exhibit 11** is a true and correct copy of the Form ADV for Orbis Investment Management (U.S.), L.P., dated January 1, 2019, bates stamped ORBIS_AM00027241 – ORBIS_AM00027260.

13. Attached hereto as **Exhibit 12** is a true and correct copy of excerpts of the deposition transcript of Adam Karr, dated July 20, 2023.

14. Attached hereto as **Exhibit 13** is a true and correct copy of excerpts of the deposition transcript of Alec Cutler, dated July 14, 2023.

15. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts of the deposition transcript of Jonathan Berger, dated July 13, 2023.

16. Attached hereto as **Exhibit 15** is a true and correct copy of an investment memo on Silver Run II Acquisition Corporation, bates stamped ORBIS_AM00000156 – ORBIS-AM00000166.

17. Attached hereto as **Exhibit 16** is a true and correct copy of notes entitled Riverstone, dated July 26, 2017, bates stamped ALYESKA_AM00002332.

18. Attached hereto as **Exhibit 17** is a true and correct copy of an investment memo re: Silver Run II – Alta Mesa Acquisition Thoughts, dated August 17, 2017, bates stamped ORBIS_AM00000334.

19. Attached hereto as **Exhibit 18** is a true and correct copy of an e-mail from Bradley Murray to Alec Cutler re: Silver Run, dated August 17, 2017, bates stamped ORBIS_AM00022724.

20. Attached hereto as **Exhibit 19** is a true and correct copy of an e-mail from Stephen Trauber to Michael Christopher re: SRUN – Follow-Up Materials, dated November 8, 2017, bates stamped ARMEnergy_00038014 – ARMEnergy_00038019.

21. Attached hereto as **Exhibit 20** is a true and correct copy of the Form 10-K for Alta Mesa Resources, Inc. for the year ended December 31, 2017.

22. Attached hereto as **Exhibit 21** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: Alta Mesa Q4 2017 Earnings Review, dated March 29, 2018, bates stamped ORBIS_AM00001046 – ORBIS_AM00001054.

23. Attached hereto as **Exhibit 22** is a true and correct copy of an e-mail from Olivia Wassenaar to Pierre Lapeyre re: Alyeska on Monday, dated April 22, 2018, bates stamped RIVERSTONE_SDTX00252631 – RIVERSTONE_SDTX00252753.

24. Attached hereto as **Exhibit 23** is a true and correct copy of the trading data for the Orbis Plaintiffs, bates stamped ORBIS_AM00007566.

25. Attached hereto as **Exhibit 24** is a true and correct copy of the trading data for the Alyeska Plaintiffs, bates stamped ALYESKA_AM00002333.

26. Attached hereto as **Exhibit 25** is a true and correct copy of excerpts of the deposition transcript of Bradley Murray, dated July 21, 2023.

27. Attached hereto as **Exhibit 26** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Earnings Preview, dated May 9, 2018, bates stamped ORBIS_AM00001125 – ORBIS_AM00001131.

28. Attached hereto as **Exhibit 27** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Q1 2018 Earnings Review, dated May 14, 2018, bates stamped ORBIS_AM00001169 – ORBIS_AM00001173.

29. Attached hereto as **Exhibit 28** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Financial follow up, dated May 23, 2018, bates stamped ORBIS_AM00001132 – ORBIS_AM00001137.

30. Attached hereto as **Exhibit 29** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Earnings Review, dated July 17, 2018, bates stamped ORBIS_AM00001118 – ORBIS_AM00001124.

31. Attached hereto as **Exhibit 30** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Q2 Earnings Review, dated August 15, 2018, bates stamped ORBIS_AM00001174 – ORBIS_AM00001186.

32. Attached hereto as **Exhibit 31** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Q3 Earnings preview, dated October 18, 2018, bates stamped ORBIS_AM00001187 – ORBIS_AM00001195.

33. Attached hereto as **Exhibit 32** is a true and correct copy of an e-mail from Bradley Murray to Adam Karr and Alec Cutler re: AMR Q3 Earnings Review, dated November 14, 2018, bates stamped ORBIS_AM00001196 – ORBIS_AM00001206.

34. Attached hereto as **Exhibit 33** is a true and correct copy of an e-mail from Paul Abrahamzadeh re: Silver Run – Alta Mesa – Kingfisher – Citi Update, dated October 11, 2017, bates stamped BCEM_0107223 – BCEM_0107227.

35. Attached hereto as **Exhibit 34** is a true and correct copy of an e-mail from Michael Christopher to Mark Stoner re: SRII roadshow notes, dated October 20, 2017, bates stamped ARMEnergy_00052337 – ARMEnergy_00052340.

36. Attached hereto as **Exhibit 35** is a true and correct copy of excerpts of the deposition transcript of Michael Christopher, dated June 6, 2023.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 28, 2023.

By: /s/ Lawrence M. Rolnick
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